

**Request:**

Rezone Lot No. 25 Block No. 1 Sitka  
Indian Village from R-1 to CBD

**Zoning District: R-1**

Front: 20 feet  
Rear: 10 feet  
Side: 8 feet

**CBD**

Subject to site plan approval

**Meeting Flow**

- Report from Staff
- Applicant comes forward
- Applicant identifies him/herself – provides comments
- Commissioners ask applicant questions
- Staff asks applicant any questions
- Floor opened up for Public Comment
- Comment period closed - brought back to the board
  
- Motions

**Tonight's Motions**

- A motion to approve
- A motion containing findings whether the motion passes or fails

**McNitt**

**Zoning Map Amendment R-1 to CBD**

256 Katlian Avenue

October 4, 2011

The structure on this property houses Ludvig's restaurant on the first floor that faces Katlian Avenue across the street from the new BIHA building. On the second and third floor are residential apartments. This property extends from Katlian Street through to Kaagwaantaan Avenue.

The applicant's property on Katlian Street is currently zoned R-1 single-family and duplex residential district. The property at 256 Katlian Street is currently sandwiched by the CBD central business district.

The applicant would like to rezone this parcel to CBD to give some more flexibility for use with the restaurant. A restaurant is not allowed in the R-1 zoning district.

Since the rezoning request is an incremental expansion of an existing CBD zone, it is by definition **not** spot zoning.

The intent from the Sitka General Code for the two zoning districts is as follows:

**22.16.040 R-1 single-family and duplex residential district**

- A. Intent. The R-1 district is intended to include lands suited by topography and other natural conditions for urban development and which are provided with a full range of public utilities including sewer, water, electricity and storm drains or intended to be provided with such utilities in the near future.
1. This district is intended primarily for single-family or duplex residential dwellings at moderate densities, but structures and uses required to serve recreational and other public needs of residential areas are allowed as conditional uses subject to restrictions intended to preserve the residential character of the R-1 district.

2. The R-1 district, as it is a very restrictive district, may also be utilized as a holding district for lands which are located within the urban area but are not presently served by access or utilities until such time as a full-scale development plan can be adopted to allow a more permanent zoning district designation.

22.16.070 CBD central business district

A. Intent. The central business district is designed specifically for concentrated retail, personal and business services of all kinds satisfying all residents in one central location. It should further prohibit exclusive residential or industrial uses which would interfere with the development and continuation of its cohesive business purposes.

The zoning pattern along Katlian Avenue has remained static for at least 25 years. It was, presumably, established when the major zoning maps and zoning text amendment process was completed in 1986. The 2002 zoning rewrite did not revise the zoning map for the area. While Staff has not researched the zoning prior to 1986, we suspect that the zoning districts were the result of a lengthy consensus building process.

There has been at least one attempt to rezone a parcel from R-1 to CBD in the past 10 years. That attempt involved 242 Katlian Avenue that is owned by Karen (Lucas) Johnson. Ms. Johnson's parcel is vacant and there were concerns about the type of commercial structure that could be built on the lot if, indeed, it was rezoned.

The McNitt request is very different from the Johnson proposal since it involves a parcel with a long standing business on the first floor.

Tuesday night, we'll walk through the request with the Planning Commission. While Staff feels the rezoning should be approved, it is important that it be looked at from both the Katlian Avenue and Kaagwaantaan Street side.

Thanks.